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MAILED
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OFFICE OF PETITIONS

In re Application of :
Kumar et al. :
Application No. 10/736,089 :
Filed: December 15, 2003 :
Attorney Docket No. 132250 :
ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed February 4, 2010, requesting the withdrawal of the holding of abandonment in the above-identified application and has been so treated.

The petition to withdraw the holding of abandonment is **GRANTED**.

The above-identified application was held abandoned for failure to timely reply to the non-final Office action mailed May 29, 2010, which set a shortened statutory period for reply of three (3) months. A reply was due on or before August 29, 2010. A Notice of Abandonment was mailed on December 29, 2009.

Petitioner states that the reply was in fact timely filed. To support this assertion, petitioner has submitted a copy of the Electronic Acknowledgement Receipt, which acknowledges receipt by the U.S. Patent and Trademark Office (USPTO) on August 27, 2009 of 1. Applicant Arguments/Remarks Made in an Amendment; 2. Power of Attorney; and 3. Assignee showing of ownership per 37 CFR 3.73(b). Additionally, petitioner has supplied a copy of the previously mailed correspondence.

The reply acknowledged as having been received in the USPTO on August 27, 2009 has been located in the application file. Accordingly, at the response was submitted timely, the holding of abandonment is hereby withdrawn and the application restored to pending status.

A petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 does not require a fee and none has been charged.

This matter is being referred to Technology Center AU 3664 for further examination on the merits.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

Liana Walsh
Petitions Examiner
Office of Petitions